

House File 2579

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HOUSE FILE 2579

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1 3 AN ACT
1 4 RELATING TO DISPOSITION OF AN AWARD OF DAMAGES IN A CONDEMNATION
1 5 PROCEEDING PENDING APPEAL OF THE AWARD TO DISTRICT COURT AND
1 6 THE AWARD OF INTEREST EARNED ON THE DAMAGES.
1 7
1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 9
1 10 Section 1. Section 6B.23, Code 2003, is amended to read as
1 11 follows:
1 12 6B.23 QUESTION DETERMINED.
1 13 On the trial of the appeal, no judgment shall be rendered
1 14 except for costs and allocation of interest earned pursuant to
1 15 section 6B.25, but the amount of damages shall be ascertained
1 16 and entered of record.
1 17 Sec. 2. Section 6B.25, Code 2003, is amended by adding the
1 18 following new unnumbered paragraph:
1 19 NEW UNNUMBERED PARAGRAPH. If an award of damages is
1 20 appealed to district court, the amount deposited with the
1 21 sheriff, if any, less the amount paid by the sheriff to the
1 22 claimant, shall be transferred to the clerk of district court
1 23 where the appeal was filed and the clerk shall deposit the
1 24 money in an interest-bearing account. The district court in
1 25 its judgment rendered pursuant to section 6B.23 shall award
1 26 the interest earned on the account in proportion to the amount
1 27 of damages ascertained and entered of record.
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1 31 _____
1 32 CHRISTOPHER C. RANTS
1 33 Speaker of the House
1 34
1 35
2 1 _____
2 2 JEFFREY M. LAMBERTI
2 3 President of the Senate
2 4
2 5 I hereby certify that this bill originated in the House and
2 6 is known as House File 2579, Eightieth General Assembly.
2 7
2 8
2 9 _____
2 10 MARGARET THOMSON
2 11 Chief Clerk of the House
2 12 Approved _____, 2004
2 13
2 14 _____
2 15 THOMAS J. VILSACK
2 16 Governor